

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re

**Daniel Henke,  
Aka Daniel H. Henke,  
Fdba Henke Cycle Repair,**

Chapter 7

Debtor(s).  
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Case No. 17-35238 (CGM)

**ORDER AVOIDING JUDICIAL LIENS**

Upon the Notice of Motion and Motion of Daniel Henke, the debtor, by his attorney Thomas W. Bauer, for an order determining that the lien held by Dominick Cannavo (with any subsequent successor or assign, "Creditor") on the Debtor(s)'s primary residence, located at FD 241 Joel Austin Road, Cairo, NY 12413, having a tax map designation of 192400 118.00-1-12 (the "Property"), is avoided under 11 U.S.C. § 522(f)(1); and there being opposition to the requested relief, and after due deliberation at a hearing held March 28, 2017, it appearing that the extent of the impairment of the debtor(s)'s exemption exceeds the entire value of the Creditor's lien making the entire lien avoidable; and good and sufficient cause appearing, pursuant to 11 U.S.C. §522(f)(1), it is hereby:

**ORDERED**, that

1. The Motion is granted;
2. The below listed judicial liens under the debtor(s)'s name on the debtor(s)'s

Property are hereby avoided, to wit:

- i. The Judgment held by Dominick Cannavo ("Creditor") in the amount of \$293,230.64, entered against the debtor(s) on February 7, 2017 as Instrument No. J2017-438 and filed in the Greene County Clerk's Office; and

3. The Clerk of the County of Greene, New York shall mark on its records that the Creditor's lien on the Property appearing as Instrument No. J2017-438 is void pursuant to Bankruptcy Court Order; provided, that the debtor may in the alternative record a copy of this Order with the Clerk of the County of Greene, New York to provide such notice.

**Dated: April 5, 2017**  
**Poughkeepsie, New York**



**/s/ Cecelia G. Morris**

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**Hon. Cecelia G. Morris**  
**Chief U.S. Bankruptcy Judge**